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Application No.: 10/028,832

36. The base station of claim 29 further comprising:
a physical layer generating CDMA codes;
a medium access control (MAC) layer for assigning and controlling said CDMA codes; and
a data link control layer providing a link between said physical and medium access control layers, wherein the data link control layer initiates changes in the allocation of channels based on determining the minimum desired data rate for communications channels via the physical layer.--

REMARKS

Claims 1-12 have been deleted and new claims 13-36 have been added. Prompt examination and allowance of the claims is respectfully requested.

Respectfully submitted,

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